THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

TAKEN UP WRIT PETITION NO.11980 OF 2007
DATE: 26.6.2007

Between:

Arjala Satyavathi, Visakhapatnam

…Petitioner

AND

1. The Station House Officer, III Town Police Station , Visakhapatnam and one another.

….Respondents

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THE HON'BLE SRI JUSTICE D.S.R.VARMA
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TAKEN UP WRIT PETITION NO.11980 OF 2007

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the strength of a 'Telegram', dated 07.06.2007, by one Arjala Satyavathi, Visakhapatnam, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that her son namely Arjala Ganesh, aged 15 years, has been illegally detained by the Police, III Town Police Station, Visakhapatnam, on 02.06.2007; that she is apprehending danger to his life and therefore, seeks a direction to the respondents to produce him before this Court.

3. A counter-affidavit has been filed by the Inspector of Police, III Town Police Station, Visakhapatnam, stating, *inter alia*, that the allegations made in the complaint are false; that the alleged detenu was called to the Police Station for the purpose of investigation about his involvement in Crime No.320 of 2007; that in that connection, the alleged detenu was presented before the police on 04.06.2007 and on 07.06.2007; that being satisfied with the explanation offered by the alleged detenu, he was let off; that after 07.06.2007 the alleged detenu was never called for the purpose of interrogation or any other purposes and that the alleged detenu is moving freely and attending his day to day work.

4. As could be seen from the record, the alleged detenu was presented before the Tahsildar-cum-Mandal Executive Magistrate, Visakhapatnam Urban Mandal, on 19.06.2007, who recorded the

statement of the alleged detenu and since he has been moving freely and is no longer in the custody of the police, we do not find any plausible reason to disbelieve the statement recorded by the Tahsildar-cum-Mandal Executive Magistrate.

5. In view of the said fact, we do not find any merit in the Writ Petition and the same is accordingly closed.

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D.S.R.VARMA, J

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D. APPA RAO, J

Dated: 26.06.2007

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